REMARKS

In response to the objection to the drawings, Applicant hereby has submitted formal drawings which are believed to overcome the objections set forth by the Examiner. Accordingly, it is respectfully submitted that the objection to the drawings are no longer applicable.

With regard to the objection to the specification at page 1, the specification has been amended to provide the updated information with regard to the related applications. Page 34 has been amended to provide a correction to step "527" instead of "526". The parts list on page 41 has been amended accordingly.

The Examiner, in paragraph 7, rejected claims 1-6 under 35 USC § 103(a) as being unpatentable over Murakami et al. (US 5,761,404) and in view of Hess et al. (US 6,058,417) for the reasons set forth therein. Applicant would first like to discuss the Murakami reference as it is believed that this reference bears little relevance to the present invention. In particular, the Murakami et al. reference is directed to a document processing work-flow system and a work-flow interruption recovery process whereby a document/image is stored on a host server. The images are passed to a plurality of users wherein each user adds photo information and/or comments to the image data. See column 5, lines 20-25. The local file 235 is used for temporarily holding data at the user while the user is working on the document. See column 5, lines 13-15.

The Murakami reference does not store low resolution images on the user computer. As previously noted, the high resolution images are temporarily provided at the local file 235. The file is maintained during the user's session with regard to making modifications thereto.

Applicant would also like to point out that there are two independent claims in the present invention. Claim 1, directed to a method of providing assistance in recreating a digital image file on a user computer, whereas, claim 4, the second independent claim, is directed to a system for providing assistance in recreating a digital image file on a user computer from the information obtained over a communication network retained at a remote location with respect to the image file. These two independent claims are directed to separate and distinct elements and steps.

With regard to the rejection of system claim 4, the system of the present invention specifically sets forth providing a provider computer that analyzes the user's storage device over a communication network so as to obtain a low resolution digital image file. This is clearly not done or suggested by Murakami. Quite the opposite, Murakami teaches away from this as it is the host system that provides the high resolution image temporarily to each of the users. Murakami maintains a file with regard to the changes that are made so that in the event of a power outage, the file can be recreated with minimal loss of time and instruction. As set forth at column 5, lines 64-67, Murakami states "by newly storing processing results in the database of the server after the completion of the processing, the amount of data loss to the generated failure can be reduced to a minimum". As set forth at column 5, lines 35-40, "data resulting from the completion of the previous state are recorded also in a temporary file of the server". It is this information that is used for recreation of the file. It can be clearly seen that the Murakami reference teaches away from the present invention. Murakami does not teach or suggest storing of a low resolution image by a provider and the storage location information such that the high resolution image can be restored at the user computer by utilization of the information stored at the provider computer. Quite the contrary, the Murakami reference teaches away from this as the high resolution image is always stored at the server and there is no need to maintain records of the temporarily stored file at the user.
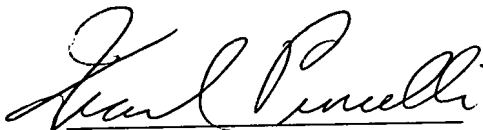
The Hess reference is directed to a system where the high resolution image is uploaded to the server which is contrary to the present invention. In the present invention only the low resolution is uploaded to the provider. The high resolution is always maintained at the user computer. The low resolution is created at the server computer for use in displaying in Hess. There is no teaching or suggestion of correlating the low resolution image or providing storage information for correlation of information with respect to the high resolution image stored on the user computer. Hess merely teaches the providing of low resolution images for display. There is no teaching or suggestion or motivation for combining Hess with Murakami. Quite the contrary, the Murakami reference does not utilize low resolution images nor is there any need to utilize low resolution images as previously discussed. There is also no need to provide storage information of the high resolution image at the server, i.e.,

as taught and claimed by Applicant. Therefore, it is respectfully submitted that claim 4 in its present form is in condition for allowance.

With regard to independent claim 1, this claim is directed to restoring of images. The first step of the present invention of claim 1 requires analyzing a user's storage device in a user computer over a communication network so as to obtain low resolution digital image files of high resolution digital image files stored on the device and for obtaining storage parameters of high resolution images that are stored on the user computer. There is no teaching or suggestion in either reference of analyzing the user's storage device for obtaining the low resolution image and/or obtaining the storage parameters. Claim 1 further includes the step of storing the low resolution image and the storage parameters at the remote service. Since the prior art does not teach or suggest obtaining the information as claimed in the first step, it could not store the information. Furthermore, claim 1 includes the step of transmitting the storage parameters over a communication network to the user computer to assist in reconstructing the high resolution image. Here again, this is clearly not taught or suggested by the prior art.

In summary it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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